

G nentech, Inc.

1 DNA WAY
South San Francisco, CA 94080
(650) 225-1000
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FACSIMILE TRANSMITTAL

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DATE: September 16, 2003

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Please deliver the following page(s) to:

NAME: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: (703) 872-9307

FROM: Craig G. Svoboda
Registration No.: 39,044

RE: U.S. Serial No.: 09/716,028
Our Docket No.: P1123R1D1

CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 CFR § 1.8

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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Signature: *Christine Ricks* Date: 9/16/03
Christine Ricks

SEP 22 2003

Number of Pages including this cover sheet - 13

This is a re-transmission of a Terminal Disclaimer fax sent August 7, 2003 which may not have been successfully received by the Examiner. This fax is being re-transmitted to the above After Final fax number for Group Art Unit 1600. Please see the "send successful" fax transmittal report which verifies that this Terminal Disclaimer was sent within the four month extension of time.

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Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a "send successful" fax report, a cover page dated August 7, 2003, a Communication Letter, a Petition and Fee for Four Month Extension of Time (in duplicate), and a Terminal Disclaimer (in duplicate).

Sep-16-03 02:45pm From-Genentech Legal

+6509529882

T-250 P.02/12 F-579

Confirmation Report--Memory Send

Time : Aug-07-03 03:13pm
Tel line 1 : +6509529882
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Name : Genentech Legal

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Genentech, Inc.
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South San Francisco CA 94080
1650, 325-1000
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FACSIMILE TRANSMITTAL

DATE: August 7, 2003

Please deliver the following page(s) to:

NAME: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 703-305-3014

FROM: Craig G. Svoroda
Registration No.: 39,044

RE: U.S. Serial No.: 09/718,038
Our Docket No.: P1123R1D1

Number of Pages including this cover sheet - 10

STILL
CALENDARED/LS
Appeal Brief - FINAL TERM
12 SEP 03
DUE DATE

CERTIFICATION OF FACSIMILE TRANSMISSION	
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Ann Savell	
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Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a Communication Letter, a Terminal Disclaimer (in duplicate) and a Petition and Fee for Four Month Extension of Time (in duplicate).

G nentech, Inc.

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FACSIMILE TRANSMITTAL

DATE: August 7, 2003

Please deliver the following page(s) to:

NAME: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Fax No.: 703-305-3014

FROM: Craig G. Svoboda
Registration No.: 39,044

RE: U.S. Serial No.: 09/716,028
Our Docket No.: P1123R1D1

Number of Pages including this cover sheet - 10

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8	
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Ann Savelli	
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Signature <u>Ann Savelli</u>	Date: <u>8/7/03</u>

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If you do not receive all pages, please notify Ann Savelli at (650) 225-7039.

Enclosed for consideration and entry on the record in connection with the above application are: this cover page, a Communication Letter, a Terminal Disclaimer (in duplicate) and a Petition and fee for Four Month Extension of Time (in duplicate).

Patent Docket P1123R1D1
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Henry B. Lowman et al. Serial No.: 09/716,028 Filed: November 17, 2000 For: Therapeutic Compositions Comprising Anti-IgE Antibodies and Immunosuppressive Agent	Group Art Unit: 1644 Examiner: G. Ewoldt Confirmation No: 7056 CUSTOMER NO: 09157 CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this correspondence is being sent via facsimile to Commissioner of Patents and Trademarks, Washington, DC 20231, at facsimile number 703-305-3014 on August 7, 2003 By: <u>Ann Savelli</u> Ann Savelli
--	---

COMMUNICATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further responsive to the Final Action mailed November 12, 2002 and the Notice of Appeal filed February 12, 2003, in light of a telephone interview on August 5, 2003 between the undersigned and Examiner Ewoldt in which the allowability of the claims were discussed, Applicants hereby file a Terminal disclaimer over U.S.P. 5,994,511 and a petition for a four month extension of time.

Respectfully submitted,
GENENTECH, INC.

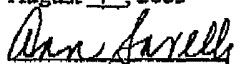
Date: August 7th, 2003

By: Craig G. Svoboda
Craig G. Svoboda
Reg. No. 39,044
Telephone No. (650) 1489

139341

Patent Docket P1123R1D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Henry B. Lowman et al. Serial No.: 09/716,028 Filed: November 17, 2000 For: Therapeutic Compositions Comprising Anti-IgE Antibodies and Immunosuppressive Agent	Group Art Unit: 1644 Examiner: G. Ewoldt Confirmation No: 7056 CUSTOMER NO: 09157 <div style="text-align: center;"> CERTIFICATE OF FACSIMILE TRANSMISSION <small>I hereby certify that this correspondence is being sent via facsimile to Commissioner of Patents and Trademarks, Washington, DC 20231, at facsimile number 703-305-3014 on.</small> August 7, 2003 By:  Ann Savelli </div>
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PETITION AND FEE FOR FOUR MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

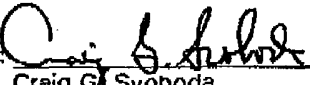
Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Final Office Action dated November 12, 2002. A Notice of Appeal was mailed on February 12, 2003 extending the time to respond until April 12, 2003. Applicants petition the Commissioner of Patents and Trademarks to extend the time for response for four months, from April 12, 2003 to August 12, 2003. The extended time for response does not exceed the statutory period.

Please charge Deposit Account No. 07-0630 in the amount of \$1,450 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

Respectfully submitted,
 GENENTECH, INC.

Date: August 7th, 2003

By: 
 Craig G. Svoboda
 Reg. No. 39,044
 Telephone No. (650) 1489